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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SPECIAL NOTICE LETTER FOR
REMEDIAL INVESTIGATION/FEASIBILITY STUDY (RI/FS)
URGENT LEGAL MATTER--PROMPT REPLY REQUESTED
CERTIFIED MAIL--RETURN RECEIPT REQUESTED

Gregory K. Radlinski
Office of General Counsel
City of Jacksonville
117 West Duval Street, Suite 480
Jacksonville, Florida 32202

SUBJ: Brown's Dump
Forest Street Incinerator
5th & Cleveland Incinerator
Lonnie C. Miller, Sr. Park
(Collectively referred to as "the Site")
Jacksonville, Duval County, Florida

Dear Mr. Radlinski:

This letter follows the meeting the Environmental Protection Agency (EPA) had with you on March 31, 1999, where we discussed the option of the City of Jacksonville, the Duval County School Board, and the Jacksonville Electrical Authority (hereafter referred to collectively as the potentially responsible parties (PRPs)) performing the response actions at the above referenced Site. The purpose of this letter is to notify the PRPs that a 60-day period of formal negotiations with EPA begins upon receipt of this letter. EPA considers receipt to be seven (7) calendar days from the date of this letter. This letter also provides general and site-specific information to assist the PRPs in the negotiation process, specifically, an Administrative Order on Consent and Scope of Work are attached hereto.

EPA has documented the release or threatened release of hazardous substances, pollutants, and contaminants at the above-referenced Site. EPA has spent public funds and is considering spending additional public funds to abate those releases by undertaking a response action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), unless it determines that such action will be done properly by a PRP or multiple PRPs. By this letter, EPA notifies the above referenced PRPs of the opportunity to perform the response activities outlined below.

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Potentially Responsible Parties under CERCLA include: the current owners or operators of the Site; persons who at the time of disposal of hazardous substances owned or operated the Site; persons who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for disposal or treatment of hazardous substances; and persons who accept or accepted any hazardous substance for transport to disposal facilities and selected such facilities. Under CERCLA and other laws, PRPs may be liable for all funds expended by the United States Government in responding to any release or threat of release at the Site, including planning, investigation, cleanup, and enforcement activities associated with the Site. In addition, PRPs may be required to pay damages for injury to natural resources or for their destruction or loss, together with the cost of assessing such damages.

Based on information received during the investigation of this Site, EPA believes that the PRPs as the current owners/operators of the Site and, in the case of the City of Jacksonville, as the generator of hazardous substances at the Site, may be responsible parties under Section 107 of CERCLA, 42 U.S.C. § 9607(a). Before the United States Government undertakes further response actions, EPA requests that the PRPs voluntarily perform work necessary to address any releases or threatened releases of hazardous substances from the Site.

SPECIAL NOTICE AND NEGOTIATION MORATORIUM

EPA has determined that a period of negotiation would facilitate settlement between EPA and the PRPs. Therefore, pursuant to Section 122(e) of CERCLA, 42 U.S.C. § 9622(e), a 60-day moratorium on certain EPA response activities at the Site will begin seven (7) calendar days from the date of this letter. During this 60-day period, the PRPs, including the City of Jacksonville, the Duval County School Board, and the Jacksonville Electrical Authority, are invited to submit a good faith offer to EPA to conduct the Remedial Investigation/Feasibility Study (RI/FS). The contents of an acceptable good faith offer are set forth below. Upon the submission of a good faith offer, formal negotiations between the parties towards a settlement providing for PRPs to conduct and/or finance the RI/FS may begin. These negotiations will continue for the remaining days of the initial 60-day period. If the offer is submitted within this 60-day period, an additional 30 days will be allotted, if necessary. If a settlement is reached between EPA and the PRPs within the 90-day moratorium period, the settlement will be embodied in an Administrative Order on Consent for the RI/FS.

Pursuant to Section 122(e)(4) of CERCLA, 42 U.S.C. § 9622(e)(4), if a good faith offer is not received within the 60-day notice period, EPA may take appropriate action at the Site. However, EPA reserves the right to take action at the Site at any time in the event that a significant threat requiring EPA's immediate response arises.

A good faith offer is a written proposal which demonstrates the PRPs' qualifications and willingness to conduct or finance the RI/FS. A good faith offer to conduct and/or finance the RI/FS will include the following elements:

1. A statement of willingness by the PRPs to conduct or finance the RI/FS that is consistent with the enclosed Scope of Work and Administrative Order on Consent and provides a sufficient basis for further negotiations.
2. A paragraph by paragraph response to the Administrative Order on Consent and Scope of Work.
3. A demonstration of the PRPs' technical capability to carry out the RI/FS, including the identification of the firm(s) that would be used to conduct the work or a description of the process that will be used to select the firm(s).
4. A demonstration of the PRPs' capability and willingness to finance the RI/FS.
5. A statement of the PRPs' willingness to reimburse EPA for costs incurred in overseeing the PRPs' conduct of the RI/FS.
6. The name, address, and telephone number of the party or steering committee who will represent the PRPs in negotiations.

ADMINISTRATIVE RECORD

Pursuant to Section 113(k) of CERCLA, 42 U.S.C. § 9613(k), EPA will establish an administrative record file which will contain documents that form the basis of EPA's decision on the selection of a response action for the Site. This administrative record will be open to the public for inspection and comment.

PRP STEERING COMMITTEE

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PRP RESPONSE AND EPA CONTACT PERSON

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The PRPs may respond individually or through a steering committee if such a committee has been formed. The letter of intent should include the appropriate name, address, and telephone number for further contact with the PRPs.

If EPA does not receive a letter of intent in a timely manner, EPA will assume that you do not wish to negotiate a resolution of your liabilities, and that you have declined any involvement in performing these response activities. The PRPs may be held liable under Section 107 of CERCLA, 42 U.S.C. § 9607, for the cost of the response actions which EPA performs at the Site and for any damages to natural resources.

Your response to this notice letter should be sent to:

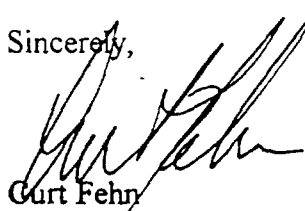
Sara Goldsmith
Assistant Regional Counsel
U.S. Environmental Protection Agency
61 Forsyth Street
Atlanta, Georgia 30303-8960

If you have any legal questions pertaining to this matter, please direct them to Sara Goldsmith at (404) 562-9539. Please direct any technical questions which you may have to Maxwell Kimpson, Remedial Project Manager, at (404) 562-8941.

Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond promptly, EPA strongly encourages you to give this matter your immediate attention and to respond within the time specified above.

Thank you for your cooperation in this matter.

Sincerely,



Curt Fehn
Chief, South Site Branch
Waste Management Division

Enclosures

cc: Kelsey Helton, FDEP
Jim Lee, DOI
Tom Dillon, NOAA



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REGION 4

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**SPECIAL NOTICE LETTER FOR
REMEDIAL INVESTIGATION/FEASIBILITY STUDY (RI/FS)
URGENT LEGAL MATTER--PROMPT REPLY REQUESTED
CERTIFIED MAIL--RETURN RECEIPT REQUESTED**

Matt McClure, P.E.
JEA Environmental Group
21 West Church Street
Jacksonville, Florida 32202

SUBJ: Brown's Dump
Forest Street Incinerator
5th & Cleveland Incinerator
Lonnie C. Miller, Sr. Park
(Collectively referred to as "the Site")
Jacksonville, Duval County, Florida

Dear Mr. McClure:

This letter follows the meeting the Environmental Protection Agency (EPA) had with you on March 31, 1999, where we discussed the option of the City of Jacksonville, the Duval County School Board, and the Jacksonville Electrical Authority (hereafter referred to collectively as the potentially responsible parties (PRPs)) performing the response actions at the above referenced Site. The purpose of this letter is to notify the PRPs that a 60-day period of formal negotiations with EPA begins upon receipt of this letter. EPA considers receipt to be seven (7) calendar days from the date of this letter. This letter also provides general and site-specific information to assist the PRPs in the negotiation process, specifically, an Administrative Order on Consent and Scope of Work are attached hereto.

EPA has documented the release or threatened release of hazardous substances, pollutants, and contaminants at the above-referenced Site. EPA has spent public funds and is considering spending additional public funds to abate those releases by undertaking a response action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), unless it determines that such action will be done properly by a PRP or multiple PRPs. By this letter, EPA notifies the above referenced PRPs of the opportunity to perform the response activities outlined below.

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Based on information received during the investigation of this Site, EPA believes that the PRPs as the current owners/operators of the Site and, in the case of the City of Jacksonville, as the generator of hazardous substances at the Site, may be responsible parties under Section 107 of CERCLA, 42 U.S.C. § 9607(a). Before the United States Government undertakes further response actions, EPA requests that the PRPs voluntarily perform work necessary to address any releases or threatened releases of hazardous substances from the Site.

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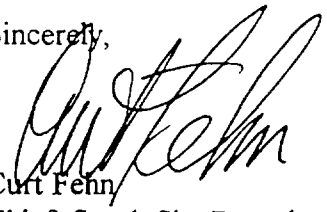
Sara Goldsmith
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Thank you for your cooperation in this matter.

Sincerely,



Curt Fehn
Chief, South Site Branch
Waste Management Division

Enclosures

cc: Kelsey Helton, FDEP
Jim Lee, DOI
Tom Dillon, NOAA
Gregory K. Radlinski, Esq.



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Bruce Ackerman
Facilities Services
Duval County School Board
1701 Prudential Drive
Jacksonville, Florida 32207-8182

SUBJ: Brown's Dump
Forest Street Incinerator
5th & Cleveland Incinerator
Lonnie C. Miller, Sr. Park
(Collectively referred to as "the Site")
Jacksonville, Duval County, Florida

Dear Mr. Ackerman:

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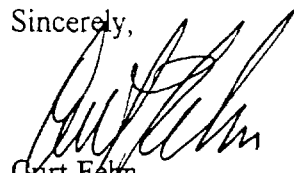
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Sincerely,



Curt Feltm
Chief, South Site Branch
Waste Management Division

Enclosures

cc: Kelsey Helton, FDEP
Jim Lee, DOI
Tom Dillon, NOAA
Gregory K. Radlinski, Esq.

May 17, 1999

ROUTING AND TRANSMITTAL SLIP		
TO:	Initials	Date
Maxwell Kimpson, RPM	<i>[Signature]</i>	5/17/99
Joanne Benante, Section Chief	<i>[Signature]</i>	5/18
Sara Goldsmith, EAD Attorney	SEH	5/24
Curt Fehn, Branch Chief	CF	5/26
ACTION REQUESTED: Signature of the South Site Management Branch Chief on the Special Notice letter which will initiate the Remedial Investigation/ Feasibility Study Administrative Order by Consent Early Action negotiations.		
Remarks:		

FROM: Maxwell J. Kimpson RPM
 South Site Management Branch, ext. 28941

EPA Region IV Routing and Transmittal Slip Form